

REMARKS

Applicants are filing this Response within the shortened statutory period. Consequently, Applicants believe that no fee is due with this filing; however, if a fee is due please charge Deposit Account No. 122158.

Claims 1 and 4-10 were presented for examination. The Office Action dated July 21, 2008 rejects claims 1 and 4-10. Claims 1 and 4-10 remain pending in the application.

Rejection of Claims 1 and 4-10 under 35 U.S.C. §103

The Office Action rejects claims 1 and 4 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0065721 to Roskind (hereafter "Roskind") in view of U.S. Patent Publication No. 2003/0222765 to Curbow et al. (hereafter "Curbow"). The Office Action also rejects claim 5 under 35 U.S.C. 103(a) as being unpatentable over Roskind-Curbow in view of U.S. Patent Publication No. 2003/0055908 to Brown et al. (hereafter "Brown"). The Office Action also rejects claims 7 and 10 under 35 U.S.C. 103(a) as being unpatentable over Roskind-Curbow in view of U.S. Patent Publication No. 2005/0055405 to Kaminsky et al. (hereafter "Kaminsky"). The Office Action also rejects claim 6 under 35 U.S.C. 103(a) as being unpatentable over Roskind-Curbow-Kaminsky in view of U.S. Patent No. 6,988,128 to Alexander et al. (hereafter "Alexander"). The Office Action also rejects claims 8 and 9 under 35 U.S.C. 103(a) as being unpatentable over Roskind-Curbow-Kaminsky in view of U.S. Patent Publication No. 2004/0068545 to Daniell et al. (hereafter "Daniell").

Roskind discloses the personalization of instant messaging session information. A user enforces preferences by using a "buddy list" to allow only certain users to contact the user. Roskind also discloses that a list of participant identities (the "Recent Contacts" group) can be kept for participants that engaged in recent messaging sessions with the user.

The Office Action admits that "Roskind does not disclose a user-defined time period for the retrospective and prospective activities, or that the retrospective and prospective activities are activities that are independent of communications having simultaneous participation between the

network user and another network user.” However, the Office Action states that “Curbow teaches an activity (e.g. meeting) to occur in a user-defined (pre-selected rules set or preferences) time period (the meeting time compared to the present time, [0017]), the retrospective and prospective activities being activities that are independent of communications having simultaneous participation between the network user and another network user (if an upcoming event is present in the user’s calendar or database, [0016].”

The Applicants respectfully disagree with the conclusion that the combination of Roskind and Curbow shows all the claimed limitations of Applicants’ invention. Applicants’ claim 1 recites, in part, “modifying a temporary reception list in response to at least one of a determination of an occurrence of a retrospective activity in a user-defined time period and a determination of a prospective activity scheduled to occur in a user-defined time period.” (emphasis added) Curbow objectively teaches the determination of an upcoming event in a user’s calendar or application database and then using the determined events to scan emails to find potential emails for notification. The emails are also examined according to user’s selected set of rules in order to determine which emails qualify for notification. (Paragraphs [0016] and [0017]) In other words, even if upcoming events are determined from the user’s calendar or application database, the determined events alone do not result in a modification or alert. An additional step of examining (i.e., “screening”) the user’s emails based on these determined events must also occur. Applicants’ method as recited in claim 1 does not include any such screening of communications. Notwithstanding, Curbow also does not teach or suggest that any determined upcoming events could be used to modify existing lists of network users such as Applicants’ recited temporary reception list. Thus, to arrive at Applicants’ claimed invention, one of skill in the art would have to be struck with the idea that the senders included in a list of senders should be treated similarly to emails in an inbox as taught by Curbow. Applicants respectfully submit that these are very different concepts and that one would only arrive at Applicants’ unique solution to limiting interruptions to a network user through prior knowledge of the Applicants’ invention, i.e., through impermissible hindsight.

For at least the reasons provided above, Applicants respectfully request that the rejection of claim 1 under 35 U.S.C. §103(a) be withdrawn. Claims 4-10 depend directly or indirectly

from allowable base claim 1 and incorporate all of the limitations of claim 1. Brown, Kaminsky, Alexander and Daniell are relied upon by the Office Action to show limitations recited in the dependent claims that are not taught or suggested in Roskind or Curbow. Applicants submit that Brown, Kaminsky, Alexander and Daniell do not teach or suggest the limitations identified above as missing from Roskind and Curbow. Therefore Applicants submit that dependent claims 4-10 are allowable over the cited references for at least those reasons provided in connection with claim 1.

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims that have not been expressed.

In view of the remarks made herein, Applicants submit that the application is in condition for allowance and request early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the Applicants' representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-2003.

Respectfully submitted,

Date: October 14, 2008
Reg. No. 41,047

Tel. No.: (508) 303-2003
Fax No.: (508) 303-0005

William G. Guerin/
William G. Guerin
Attorney for Applicants
Guerin & Rodriguez, LLP
5 Mount Royal Avenue
Marlborough, MA 01752